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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(OAKLAND DIVISION)

GIL CROSTHWAITE and RUSS BURNS, in
their respective capacities as Trustees of the
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA; PENSION TRUST FUND FOR
OPERATING ENGINEERS; PENSIONED
OPERATING ENGINEERS HEALTH AND
WELFARE FUND; OPERATING ENGINEERS
ANNUITY TRUST FUND; OPERATING
ENGINEERS AND PARTICIPATING
EMPLOYERS PRE-APPRENTICESHIP;
APPRENTICE AND JOURNEYMAN
AFFIRMATIVE ACTION TRAINING FUND;
OPERATING ENGINEERS VACATION AND
HOLIDAY PLAN; CONTRACT
ADMINISTRATION FUND; OPERATING
ENGINEERS MARKET PRESERVATION
FUND; OPERATING ENGINEERS
INDUSTRY STABILIZATION TRUST FUND;
BUSINESS DEVELOPMENT TRUST FUND;
and HEAVY AND HIGHWAY COMMITTEE,

Plaintiffs,

v.

CANYON SPRINGS ENTERPRISES DBA
RSH CONSTRUCTION SERVICES; and
ROBERT STANLEY HAMILTON,

Defendants.

Case No. C 06-4451 SBA

**STIPULATION CONTINUING DATE OF
MEDIATION; [PROPOSED] ORDER
THEREON**

Action E-Filed: December 12, 2006

1 Plaintiffs and Defendants hereby stipulate and agree that the Court ordered mediation
 2 relating to the above-referenced matter will be continued until some date before August 30, 2007,
 3 mutually agreeable to the parties and to the mediator, at a location to be determined. This is the
 4 second extension to which parties have stipulated and the date is beyond the ninety day deadline
 5 stated in the Court's scheduling order. However, the parties believe that delaying the mediation until
 6 the above-stated date is in the best interest of all parties and will promote judicial economy.

7 On June 19, 2007, counsel for each party discussed the matter by telephone. On or about
 8 June 2007, prior counsel for Plaintiffs, Ms. Mainguy, took an extended medical leave of absence,
 9 about which Defendants have just been informed. Ms. Mainguy referred the case to Plaintiffs' new
 10 counsel, Michele Stafford at Saltzman & Johnson, who has substituted in on June 15, 2007.
 11 Additionally, Defendant Hamilton had inadvertently mis-scheduled upcoming travel and will be
 12 unavailable on the date of the currently scheduled mediation. At the conclusion of the phone call,
 13 parties agreed that the best interests of all would be served by continuing the mediation a few weeks
 14 from its currently scheduled date.

15 **RESPECTFULLY SUBMITTED.**

16 Dated: June 20, 2007

COOK, BROWN LLP

17
 18 By: /S/
 19 ROBERT L. BOUCHER
 20 Attorney for Defendant CANYON SPRINGS
 ENTERPRISES d/b/a RSH CONSTRUCTION
 SERVICES

21 Dated: June 20, 2007

SALTZMAN & JOHNSON

22
 23 By: /S/
 24 MICHELE R. STAFFORD
 25 Attorney for Plaintiffs GIL CROSTHWAITE and
 RUSS BURNS

26 I HEREBY ATTEST THAT I HAVE ON FILE ALL HOLOGRAPH SIGNATURES FOR
 27 ANY SIGNATURES INDICATED BY A "CONFORMED" SIGNATURE (/S/) WITHIN THIS
 28 EFILED DOCUMENT.

ORDER

Based upon the above-stated stipulation, the parties are ordered to appear at the mediation relating to the above-referenced matter at a date mutually agreeable to the parties and the mediator but before August 30, 2007 a location to be determined.

Dated: 6/22/07_____



SAUNDRA BROWN ARMSTRONG
HON. UNITED STATES DISTRICT COURT JUDGE